

Hal Taylor, Esq.
Of Counsel, Olinsky Law Group
NV Bar No.: 4399
2551 West Lakeridge Shores
Reno, NV 89519
Telephone: 775-825-2223
Facsimile: 775-329-1113
Email: haltaylorlawyer@gbis.com

Attorney for Plaintiff, Patti Ann Hurt

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PATTI ANN HURT,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Case No.: 3:20-cv-00481-CSD

**STIPULATION FOR THE AWARD AND
PAYMENT OF ATTORNEY FEES AND
EXPENSES PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT, 28 U.S.C.
§ 2412(d)**

1 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
2 subject to the approval of the Court, that Plaintiff Patti Ann Hurt be awarded attorney fees in the
3 amount of five thousand eight hundred ninety-six dollars and eighty cents (\$5,896.80) under the Equal
4 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This
5 amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in
6 connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

7 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
8 matter of Plaintiff's assignment of EAJA fees to Olinsky Law Group. Pursuant to *Astrue v. Ratliff*,
9 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will
10 depend on whether the fees are subject to any offset allowed under the United States Department of
11 the Treasury's Offset Program. After the order for EAJA fees is entered, the government will
12 determine whether they are subject to any offset.

13 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that
14 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees and
15 expenses to be made directly to Olinsky Law Group, pursuant to the assignment executed by Plaintiff.
16 Any payments made shall be delivered to Olinsky Law Group, 250 South Clinton Street, Suite 210,
17 Syracuse, NY 13202 (EIN 26-2258247).

18 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney
19 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or
20 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and
21 all claims that Plaintiff and/or Olinsky Law Group and Hal Taylor may have relating to EAJA attorney
22 fees in connection with this action.

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1 This award is without prejudice to the rights of Hal Taylor and/or Olinsky Law Group to seek
2 Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of
3 the EAJA.

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6 Dated: May 3, 2022

Respectfully submitted,

7 OF COUNSEL, OLINSKY LAW GROUP

8 /s/ Hal Taylor
9 HAL TAYLOR
Attorney for Plaintiff

10
11 Dated: May 3, 2022

Respectfully submitted,

12 CHRISTOPHER CHIOU
13 Acting United States Attorney
District of Nevada
14 Nevada Bar No. 14853

15 ALLISON J. CHEUNG, CSBN 244651
16 Special Assistant United States Attorney
160 Spear Street, Suite 800
San Francisco, California 94105
17 Telephone: (510) 970-4811
Facsimile: (415) 744-0134
18 *(as authorized by email on May 3, 2022)*
E-Mail: allison.cheung@ssa.gov

19 Attorneys for Defendant
20

21 IT IS SO ORDERED:

22 
23 HON. CRAIG S. DENNEY
24 UNITED STATES MAGISTRATE JUDGE

25 DATED: May 4, 2022
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